

APPEAL NO. 042408
FILED NOVEMBER 8, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 22 and August 23, 2004. The hearing officer decided that: (1) the compensable injury of _____, does not extend to include pars defect, spondylolisthesis, degenerative disc disease or annular tear at L5-S1; (2) the appellant (claimant) had disability from July 29, 2003, through the date of the hearing; (3) the claimant reached maximum medical improvement (MMI) on December 20, 2003; and (4) the claimant has an impairment rating (IR) of zero percent. The claimant has appealed the injury, MMI, and IR determinations on evidentiary grounds, asserting that the compensable injury aggravated pre-existing conditions and that those conditions were not resolved on December 20, 2003, and were not rated by the designated doctor. The respondent (carrier) responded, urging affirmance. The hearing officer's disability determination was not appealed, and has become final pursuant to Section 410.169.

DECISION

Affirmed.

We have reviewed the complained-of determinations and conclude that the issues involved questions of fact for the hearing officer to resolve. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **LIBERTY MUTUAL FIRE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEMS
350 NORTH ST. PAUL STREET, SUITE 2900
DALLAS, TEXAS 75201.**

Veronica L. Ruberto
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Gary L. Kilgore
Appeals Judge